

CASE No. 21

PROPOSAL FOR CLARIFICATION OF ARTICLE 33. (Z.N.(S.) 1575)

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Under Article 33 a change in spelling which is not a justified emendation is to be considered either an unjustified emendation or an incorrect subsequent spelling. If the change is "demonstrably intentional" it is to be considered an unjustified emendation; if not, an incorrect subsequent spelling. In my opinion the phrase "demonstrably intentional" is not sufficiently clear and unequivocal to allow a definite decision to be made in all cases. Since unjustified emendations have separate status and are available as replacement names, and incorrect subsequent spellings have no separate status, failure to distinguish the two types of spelling change could lead to confusion and instability in the following manner:

If *X-us* Smith, 1800 is spelled *X-a* by Brown in 1850, and *X-us* is found to be a junior homonym, with *Y-us* Jones, 1900 as a synonym, an author who considers *X-a* Brown to be an unjustified emendation would accept it as the valid name of the genus, whereas an author who considered it an incorrect subsequent spelling would accept *Y-us* as the valid name.

I therefore propose that the word "demonstrably" be deleted from Article 33(a) and that a new subsection, 33(a)(iii), be added to Article 33(a) as follows:

A change in a correct original spelling (in the sense of Article 32) is to be considered intentional only if the author explicitly states he is changing the spelling or if he cites the original spelling as a synonym and consistently uses an altered spelling; it is not otherwise to be considered intentional even though the original spelling contains an incorrect transliteration, an improper latinization, or an inappropriate connecting vowel.